

TRIBUTE TO THE HERITAGE SCHOOL OF NEWNAN, GA, ON THE OCCASION OF ITS 25TH ANNIVERSARY

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. COLLINS of Georgia. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding educational institution located in Georgia's Third Congressional District. On November 22, the Heritage School of Newnan, GA, celebrated its 25th anniversary.

The Heritage School was founded in 1970 to create an outstanding educational alternative for the families of Newnan and the surrounding areas. Renowned for its emphasis on family involvement in the educational process, the Heritage School prospers through intense communication between teachers, students, and parents. In fact, the parent conferences at the Heritage School are led by the students. This highly innovative method allows students to analyze their scholastic progress, outline areas needing improvement, and share with both parent and teacher the steps that will be used to achieve the goal.

Stressing personal growth as well as academic excellence is evident in the Heritage School's Bigs/Littles program. This program is designed to foster social and academic relationships between the students ranging from age 3 to 18. The Bigs/Littles program provides younger students an opportunity to have older, more experienced students as role models. In turn, older students have a sense of duty to look after the well-being of their little friends. The Bigs/Littles program at the Heritage School fosters respect, trust, and friendship throughout the students' lives.

The Heritage School prepares students for success in college and life by encouraging and demanding academic excellence. The fact that 98 percent of the Heritage School graduates attend college, and 92 percent of those graduate from college with their entering class, illustrates the success of this educational institution.

The success of the Heritage School is deeply rooted in its three-part educational philosophy. First, students must become involved and develop a strong desire to participate in their own education and in the life of their school. Then, students need to experience genuine success in an academic area or activity. Finally, students are encouraged to strive toward excellence, develop the ability to tap their deepest personal resources, and interact meaningfully with others.

Mr. Speaker, at a time when the education of America's youth is under constant attack, I am honored to have an institution in my dis-

trict that continually produces outstanding young individuals. I ask my colleagues to join me today in recognizing the achievements of the Heritage School on its 25th anniversary and encourage this institution to continue to uphold what has become the standard for academic excellence in Georgia.

MAZAIKA VERSUS BANK ONE COLUMBUS, N.A.

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. NEY. Mr. Speaker, for the information of my colleagues I am entering into the RECORD the following letter to Mr. Leach, chairman of the House Banking and Financial Services Committee regarding the *Mazaika v. Bank One Columbus, N.A.*, No. 00231 (PA Superior Court 1994) decision:

HOUSE OF REPRESENTATIVES,
January 10, 1995.

Congressman JIM LEACH,
Chairman, House Banking and Financial Services Committee, Rayburn House Office Building, Washington, DC.

DEAR JIM: Last month, the Pennsylvania Superior Court issued a decision interpreting important provisions of the Rieggle-Neal Interstate Banking and Branching Act of 1994—provisions that our colleagues worked on together during the 103rd Congress.

The case that we are referring to, as you know, is the *Mazaika v. Bank One Columbus, N.A.* No. 00231 (PA Superior Court 1994) decision. In a 6 to 3 decision, the Pennsylvania Superior Court determined that a national bank located in Ohio was not authorized by Section 85 of the National Bank Act to collect certain credit-card charges from Pennsylvania residents. This holding conflicts with the conclusions reached by many other courts across the country and the clear legislative intent. These other courts have held, based on decisions of the United States Supreme Court and other authorities (including opinions by the federal bank regulators), that a national bank may collect credit card charges from borrowers, no matter where they live, as long as the charges are legal in the national bank's home state.

We believe that the *Mazaika* court made two fundamental errors in its interpretation of the Rieggle-Neal Interstate Banking and Branching Act of 1994. The court found that the "applicable law" provision in the interstate law applied, even though that provision is applicable only when a bank actually has branches in a second state. This provision has no bearing on or relevance to the facts in the *Mazaika* case because, in that case, no branching by the Ohio bank into Pennsylvania is involved.

The *Mazaika* court also ignored the provision in the interstate law that actually is relevant, the "savings clause" in Section 111

of the Interstate law. The savings clause ensured that a bank's ability to collect all lending charges was not affected by other provisions of the interstate law (such as the applicable law provision). The savings clause preserves the pre-existing lending authority of banks to collect all lending charges in accordance with home state law, without regard to the changes in branching authority made by the interstate law.

It is always frustrating when courts fail to interpret correctly the plain meaning of the laws we enact. This is particularly troubling in this case. We therefore would appreciate your assistance in clarifying the legislative intent regarding this matter.

Very truly yours,

DEBORAH PRYCE.
ROBERT NEY.

WELCOME TO HON. FRANKLIN A. SONN, AMBASSADOR FROM SOUTH AFRICA

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1995

Mr. CARDIN. Mr. Speaker, I rise today to welcome the Honorable Franklin A. Sonn as the new Ambassador from South Africa to the United States. On Thursday, January 12, 1995, Ambassador Sonn, in his first major U.S. speech, will address the Beth Tfiloh Congregation in Baltimore.

Ambassador Sonn, a leading South African educator and businessman who was appointed by President Nelson Mandela, is interested in promoting greater opportunities for partnerships between the United States and South Africa. I believe it is vital that the United States continue to offer economic development opportunities for South African and United States businesses. Without economic stability, President Mandela will have great difficulty in accomplishing his goal of building a new future for all South Africans.

South Africa and President Mandela have made enormous strides in focusing on human rights issues and the economic needs of South Africans. Ambassador Sonn will discuss President Mandela's plans for a new South Africa, including housing, education, economic development, and racial harmony.

This address is being coordinated by the International Commission of Community and Volunteer Services of B'nai B'rith in cooperation with the black and Jewish organization the BLEWS.

I hope that my colleagues also join my fellow Baltimoreans and me in welcoming Ambassador Sonn and in extending best wishes to him as he begins his assignment in the United States.